

**OPINION
50-206**

May 11, 1950 (OPINION)

WELFARE

RE: Employees Can Sign Nominating Petitions for County Officers

I am in receipt of your letter of May 8, 1950, in which you request the opinion of this office, "as to whether or not employees of the county welfare board can or cannot sign nominating petitions for county officers."

You enclose a copy of the merit system regulations affecting the political activity of welfare board employees. Said regulations read as follows:

"Merit System Regulations

C. Politics and Religion

Par. 5. No employee of the agencies or the Council shall use his official authority or influence for the purpose of interfering with an election or affecting the results thereof. All persons occupying positions other than those hereinbefore exempted in Paragraph 641-1-8, while retaining the right to vote as they please and to express privately their opinions on all political subjects, shall take no active part in city, county, state or national elections, whether primary or regular, in behalf of any party or candidate, will be prohibited; no employee will be permitted to solicit or receive or be concerned in soliciting or receiving any money or contribution for political purposes; no officer or employee will be discharged or demoted for refusing to make any contribution for political purposes."

It is the opinion of this office that the mere signing of a nominating petition is not taking an "active part in political management or in political campaigns"; nor does it constitute, "political activity in city, county, state or national elections."

The signing of a nominating petition is analogous to and should be considered as the expression of a private opinion. As such it is expressly permitted under the above regulations.

WALLACE E. WARNER

Attorney General